

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: 8/11/2023
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
MARZALLAH MARTIN-DREW: SINGLETON :
EL BEY, :
:
Plaintiff, :
:
-v- :
:
JOHN DOE, :
:
Defendant. :
:
----- X
GREGORY H. WOODS, United States District Judge:

1:23-mc-262-GHW

ORDER

Marzallah Martin Drew Singleton El Bey (“Singleton”), who is appearing *pro se*, filed this matter as a miscellaneous case on August 7, 2023.¹ Dkt. No. 1. Singleton filed this action but improperly lists himself as the defendant rather than the plaintiff. It is unclear who Singleton intends as the counterparty to this action. Singleton’s filing consists of several documents, including multiple documents titled “Notice of Conditional Acceptance & Negative Averment of Petition Holdover/Residential Eviction.” *See generally id.* Because the nature of Singleton’s filings do not fit any of the listed categories of miscellaneous matters, this case cannot proceed under the miscellaneous docket.

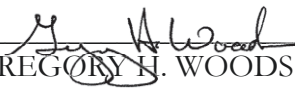
The Clerk of Court is directed to open this case as a new civil action with Singleton listed as the plaintiff and John Doe listed as the defendant. The Clerk of Court is further directed to terminate any pending motions and administratively close this miscellaneous case.

¹ Singleton paid the \$49.00 fee to file a miscellaneous case in this Court.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45(1962).

SO ORDERED.

Dated: August 11, 2023
New York, New York



GREGORY H. WOODS
United States District Judge